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21 *Counsel for Defendant Google LLC*

22 **UNITED STATES DISTRICT COURT**

23 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

24 CHASOM BROWN, WILLIAM BYATT,
25 JEREMY DAVIS, CHRISTOPHER
26 CASTILLO, and MONIQUE TRUJILLO,
27 individually and on behalf of themselves and
all others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF TRACY GAO IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF GOOGLE LLC'S
MOTION FOR LEAVE TO FILE A SUR-
REPLY TO PLAINTIFFS' REPLY IN
SUPPORT OF THEIR SUPPLEMENTAL
SANCTIONS BRIEF PURSUANT TO
DKT. 624 (DKT. 707-1)**

Judge: Hon. Susan van Keulen, USMJ

1 I, Tracy Gao, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney at Quinn Emanuel
 3 Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action. I make
 4 this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I
 5 could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google
 7 LLC’s Administrative Motion to Seal Portions of Google’s Motion for Leave to File A Sur-Reply
 8 to Plaintiffs’ Reply in Support of Their Supplemental Sanctions Brief (“Google’s Motion”). In
 9 making this request, Google has carefully considered the relevant legal standard and policy
 10 considerations outlined in Civil Local Rule 79-5. Google makes this request with the good faith
 11 belief that the information sought to be sealed consists of Google’s confidential and proprietary
 12 information and that public disclosure could cause competitive harm.

13 3. The information requested to be sealed contains Google’s confidential and
 14 proprietary information regarding highly sensitive features of Google’s internal systems and
 15 operations, including details regarding Google’s internal databases, logs, and their proprietary
 16 functionalities, as well as internal metrics, that Google maintains as confidential in the ordinary
 17 course of its business and is not generally known to the public or Google’s competitors.

18 4. Such confidential and proprietary information reveals Google’s internal strategies,
 19 system designs, and business practices for operating and maintaining many of its important services,
 20 and falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-
 21 3.

22 5. Public disclosure of such confidential and proprietary information could affect
 23 Google’s competitive standing as competitors may alter their data logging system designs and
 24 practices relating to competing products. It may also place Google at an increased risk of cyber
 25 security threats, as third parties may seek to use the information to compromise Google’s data
 26 logging infrastructure.

27 6. For these reasons, Google respectfully requests that the Court order Google’s Motion
 28 to be filed under seal.

1
2 I declare under penalty of perjury of the laws of the United States that the foregoing is true
3 and correct. Executed in Washington, D.C. on September 2, 2022.
4

5 DATED: September 2, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

6
7 By /s/ Tracy Gao
8 Tracy "Xi" Gao
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10 *Attorney for Defendant*

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